

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

April 3, 2007

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice-Chairman Howard Cundiff at 9:09 a.m. April 3, 2007.

- (a) Commissioners were present at the Commission meeting:

Michael Christoffersen
Michael Corey
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins
M. Burke Jones
Ted Ogle

Commissioners not present at the Commission meeting:

Diana M. H. Brenner
Jay Gore
David Hannum, Chairman
James Ridley

- (b) The following departmental and support staff were present during the meeting:

Agency Support Services, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
William Teeguarden, Executive Administrative Law Judge
John Haines, Code Specialist
John Hibner, Code Specialist
Raleigh Kouns, Code Specialist
Bob Robinson, Code Specialist
Beth Sutor, Secretary

2. **Old Business.**

Vice-Chairman Cundiff called for any corrections or a motion to approve the minutes of the March 6, 2007 meeting as distributed. A motion to approve the minutes was made by Commissioner Ogle and seconded by Commissioner Jones. It was voted upon and carried.

3. **Ordinances.**

Richelle Wakefield, Director, Fire and Building Code Enforcement, introduced the Building Code Ordinance No. 2006-11-2 of Medaryville, Indiana for consideration, recommending approval. Commissioner Jones moved to approve with the second by Commissioner Corey. It was voted upon and carried.

4. **Third Party Certification and Inspection**

Richelle Wakefield, Director, Fire and Building Code Enforcement, introduced the application for Pyramid1, Incorporated, New Paris, Indiana, and recommended their approval for one year. Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

5. **Clarification of Variance 07-03-31 approval.**

Richelle Wakefield, Director, Fire and Building Code Enforcement, and Mara Snyder, Director, Code and Legal Services, asked the Commission for a clarification of their approval of Variance 07-03-31 for the French Lick Resort and Casino. They distributed photos taken during a recent inspection which showed tables and chairs being stored in the corridors, and asked if the corridors complied with their intentions. The members of the Commission stated that nothing was to be stored on the hatched area of the corridors, period.

6. **Variances.**

Tabled Variances.

Variance 07-03-12, Golden Years Homestead Health Center, Ft. Wayne, was represented by Robert Overton, InterDesign. Mr. Overton returned with the requested alternatives, offering to change the affected doors to 2-hour openings, install magnetic hold-opens on these doors, and to install sprinklers on both sides of the doors to protect the openings. After discussion, Commissioner Hawkins moved to approve with these conditions. Commissioner Christoffersen made the second. It was voted upon and carried.

Regular Variances.

No variances were called out for individual consideration. Commissioner Christoffersen made the motion to approve the following variances with an "A" or "B" review rating by staff with the second being made by Commissioner Jones. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 07-04-1 Addition and Renovation of IPS School No. 84, Indianapolis
- (2) 07-04-2 Hamilton Hills Baptist Church, Fishers
- (3) 07-04-3 Brazil Public Library, Brazil
- (4) 07-04-6 LCC Westside Village Living Facility, Indianapolis
- (5) 07-04-8 Riverside Intermediate School Phase 2, Fishers
- (6) 07-04-9(a)(b) Franklin Twp. Soccer Buildings, Indianapolis
- (7) 07-04-11(b) Ben Davis University High School, Indianapolis
- (8) 07-04-13(b) Indiana University Memorial Stadium Addition, Bloomington
- (9) 07-04-15 St. Anthony Medical Center, Crown Point
- (10) 07-04-16 Sam's Club, Terre Haute
- (11) 07-04-17 Hamilton County Juvenile Services, Noblesville
- (12) 07-04-21 Clarian Arnett Hospital, Lafayette
- (13) 07-04-22(a)(b) Reid Hospital, Richmond
- (14) 07-04-27 Renovation and Addition to Randolph Eastern School, Union City
- (15) 07-04-28 Regional Public Safety Academy, Ft. Wayne
- (16) 07-04-29 Southeast Baptist Church, Indianapolis
- (17) 07-04-31 Liberty Baptist Church children's Center, Sweetzer
- (18) 07-04-32(a) Nation Properties, Terre Haute
- (19) 07-04-33 St. Anthony Medical Center, Crown Point

- (20) 07-04-34 Pike High School Multi-Purpose Stadium, Indianapolis
- (21) 07-04-35 Quadrangle Precedent South, Greenwood
- (22) 07-04-36(a) New Lifestyle Shops Castleton Square Mall, Indianapolis
- (23) 07-04-37 Ambassador House, Fishers
- (24) 07-04-38(a) University of Evansville Student Center, Evansville
- (25) 07-04-39 Phoenix Fabricators Flammable Liquid Storage Building, Avon
- (26) 07-04-47 Lawrenceburg Public Library Expansion and Depot Restoration, Lawrenceburg
- (27) 07-04-50 Especially Wicker, Indianapolis

The following variances were heard separately:

- (28) 07-04-4 AMC Theatre Castleton Square Mall, Indianapolis

Kevin Troutman, STK Architecture, spoke as proponent. The request was to omit the required permanent partitions or railings to create a waiting area in the theater lobby. He explained the theater uses a staggered schedule for their movies to avoid creating lines and crowds. They feel that the barriers will create a “corral” area and actually impede the flow of patrons to exits in an emergency situation. He also noted the theater has provided three more exits than required by code. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (29) 07-04-5(a)(b)(c)(d)(e)(f)(g)(h)(i)(j) City Lofts, Lafayette

Ed Rensink, RTM Consultants, spoke as proponent. He requested the variances be tabled. Commissioner Christoffersen moved to table. Commissioner Corey made the second. It was voted upon and carried.

- (30) 07-04-7 Dayton Memorial Presbyterian Church, Dayton

Ed Rensink, RTM Consultants, spoke as proponent. The tiered seating area on the second floor of the turn of the century church is being converted to classrooms which do not comply with their type 5B construction. The conversion of the seating area into a walkway will actually decrease the occupant load of the area. The building has no sprinklers and no alarms. The proponent offered to wrap the walkway construction in gypsum board. After discussion, Commissioner Hawkins moved to approve with the condition that the new construction be one-hour rated. Commissioner Ogle made the second. It was voted upon and carried.

- (31) 07-04-10(a)(b) The Commons at City Center Condominiums, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow units over 2,500 square feet to have one exit. The building has a 13R sprinkler system, and the units are expected to house fewer than 10 occupants. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance (b) dealt with corridors within the units not being rated one-hour. The model code had an exception for this condition which the Indiana code removed. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (32) 07-04-11(a)(c) Ben Davis University High School, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request in (a) was to allow the building to be unlimited area although the addition will make it too tall per code. Most of the additions are on the first floor for daycare and alternative schooling. The building will be sprinklered throughout. Part (c) was permission to occupy the additions before the sprinklers have been completely installed while alarms will be installed in the construction areas. Randy Gulley, Wayne Twp. Fire Department, also spoke, stating he had no objections to the variances. He stated the

building will have improved fire department access plus a better sprinkler and alarm system after completion. After discussion, Commissioner Ogle moved to approve both (a) and (c) with the condition that alarm pulls be installed in the construction areas. Commissioner Jones made the second. It was voted upon and carried.

(33) 07-04-12 Neil Armstrong Hall of Engineering, West Lafayette

David Kish, Purdue University, spoke as proponent. The request was to allow the use of an alternative sprinkler design in the shaded areas of the plans. Sprinkler heads which will be placed above openings and in the cable trays covering 1,500 square feet have been okayed with Factory Mutual. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Jones. It was voted upon and carried.

(34) 07-04-13(a) Indiana University Memorial Stadium Addition, Bloomington

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a separate alarm and separate electrical service in the north end zone addition which fills in between the existing east and west grandstands. A 2-hour fire barrier will be provided to the seating area above the addition, and a 2-hour fire wall for the first concourse toilet rooms. Commissioner Hawkins suggested a sign for responders that this is not the only electrical room. Chuck McNealy, architect, noted that the fire department wants the separate alarms since this allows them to more easily locate the emergency. The existing grandstands already have separate systems. After discussion, Commissioner Christoffersen moved to approve. The second was made by Commissioner Ogle. It was voted upon and carried.

7 **Breaking and reconvening.** Vice-Chairman Cundiff recessed the Commission at 10:04 am. He then reconvened the meeting, calling it back to order at 10:18 am.

(35) 07-04- 14 St. Joseph Hospital Medical Office Building Expansion, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the two 2-hour fire walls to remain where they are currently located since the additions rely on the existing firewalls for support. After discussion of the additional rated doors and firewalls which will be closing in existing floor openings, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(36) 07-04-18 The Waverley at 151, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow non-compliant pool fencing. The pool will be connected to the clubhouse and will be elevated, putting the fencing at 16 feet above grade. Commissioner Ogle moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(37) 07-04-19 Northview Christian Life Church, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request was to exceed allowable area after the additions to the main and lower levels. The building is fully sprinklered, with direct egress to the exterior at the main level and the basement level, and all sanctuary egress is to grade. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

(38) 07-04-20 A Children's Paradise, Evansville

When reviewed by staff, it was decided that this facility did not need a variance since it had been built to comply with the code of record. Commissioner Christoffersen moved no variance was

required. The second was made by Commissioner Jones. It was voted upon and carried.

(39) 07-04-22(c)(d) Reid Hospital, Richmond

Rodney McCullough, RTM Consultants, spoke as proponent. The request for the 6-story high-rise hospital, low-rise medical office, and outpatient care center was to allow 2-hour fire barriers to be used in place of the 3-hour fire wall and 2-hour fire wall. The proponent didn't want to carry the high-rise requirements into the other buildings, and wanted to call them separate buildings. After discussion, Commissioner Ogle moved to approve both variances. Commissioner Hawkins made the second. It was voted upon and carried.

(40) 07-04-23 Allen County Public Library, Ft. Wayne

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to install fifteen-second delay egress hardware on some exits in the building. These exits are away from the main area and away from staff supervision, causing a concern for child safety and possible theft of materials. The exits would also be alarmed, and the fifteen-second delay would give the staff time to react. Commissioner Christoffersen, as a resident of the area, explained the library has become an unofficial daycare where children are left without parental supervision for extended periods of time, leading to concern over child abduction. Captain Jim Rose of the Ft. Wayne Fire Department also addressed the Commission, supporting the variance. He had toured the facility and felt comfortable with the requested hardware on the specified doors. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(41) 07-04-24 Hamilton Town Center, Noblesville

Amy Murdock and Terry Schultz, Code Consultants Inc, spoke as proponents. The request was to allow restaurants in the unlimited area buildings, thereby allowing the owners some flexibility in maximizing the use of the building. The units would comply with the 2006 International Building Code, be no larger than 45,125 square feet, provide a fire barrier separation, and exit to the exterior. After discussion, Commissioner Ogle moved to approve with the condition of compliance with the 2006 International Building Code. Commissioner Hawkins made the second. It was voted upon and carried.

(42) 07-04-25 University Hospital Cancer Hospital Addition, Indianapolis

Rodney McCullough, RTM Consultants, spoke as proponent. Additions to the hospital will be creating interior courts between the buildings. The request is to omit protected wall openings for these courts. After discussion, Commissioner Hawkins moved to approve. The second was made by Commissioner Jones. It was voted upon and carried.

(43) 07-04-26(a)(b) Riley Hospital for Children, Indianapolis

Rodney McCullough, RTM Consultants, spoke as proponent. He withdrew variance (b). Variance (a) dealt with the stair to the new helipad being built on the roof. The stairway to this heliport will not line up with existing construction. It will have 90 minute protected openings, pressurized stairway system and protected duct penetrations. Commissioner Hawkins moved to approve with the condition the stairs and connector are pressurized. Commissioner Jones made the second. It was voted upon and carried.

- (44) 07-04-30 Holiday Inn North Indianapolis

Christina Colleter, RTM Consultants, spoke as proponent. To become ADA compliant, some rooms have sections removed to gain needed space which makes the door swing of the bathroom not compliant. The request is to allow this condition in these rooms. Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (45) 07-04-32(b) Nation Properties, Terre Haute

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Two buildings owned by the applicant sit on the property line. The request is to be allowed to install a door connecting them. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Corey. It was voted upon and carried.

- (46) 07-04-36(b)(c)(d) New Lifestyle Shops Castleton Square Mall, Indianapolis

Amy Murdock and Terry Schultz, Code Consultants Inc, spoke as proponents. Ralph Gerdes, Ralph Gerdes Consultants, also addressed the Commission. The request in (b) is to allow the unlimited AMC Theatre building to be connected to the existing unlimited building as one large building. There is sixty foot clearance around the site and construction is type 2B. After discussion, Commissioner Christoffersen moved to approve, and Commissioner Ogle made the second. It was voted upon and carried. Variance (c) is a request to allow A-2 occupancies in the unlimited area building. Restaurants are currently in the existing building, and assembly uses in the building will not exceed 10%. Each will be separated by 1-hour fire partitions and exit directly to the exterior concourse. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance (d) was a request to allow the expansion of a family restroom in the food court area by 13,000 square feet. Commissioner Ogle moved to approve with the second by Commissioner Corey. It was voted upon and carried.

- (47) 07-04-38(b) University of Evansville Student Center, Evansville

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to allow the platform in the student center to be twelve inches taller than allowed by code. It will be of fire-resistive construction and sprinklered underneath. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Jones. It was voted upon and carried.

8. **Breaking and reconvening.** Vice-Chairman Cundiff recessed the Commission at 11:34 am. He then reconvened the meeting, calling it back to order at 11:48 am.

- (48) 07-04-40(a)(b) St. Thomas Lutheran Church Entry and Narthex Expansion, Bloomington

Tim Callas, J & T Consulting, spoke as proponent. The request was to allow the addition without the use of firewalls in order to keep the feeling open and inviting. The cost of sprinklers for the building would be over \$68,000 and would create a financial hardship for the congregation. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (49) 07-04-41(a)(b)(c) River of Life Fellowship Church Lobby and Canopy Addition, Middlebury

Tim Callas, J & T Consulting, spoke as proponent. The church is adding a covered, glass-walled

canopy and lobby area with a one-hour fire barrier around the sanctuary. The lobby will increase the fire area of the church by 2.5% and the required sprinklers and firewalls for the expanded balcony seating would be over 45% of the project budget. Water lines for the sprinkler system are over 1½ miles away with no plans by the city to expand service. After discussion, Commissioner Hawkins moved to approve all three variances. Commissioner Christoffersen made the second. It was voted upon and carried.

- (50) 07-04-42 Jefferson Brethren Church Family Life Center Addition, Goshen

Tim Callas, J & T Consulting, spoke as proponent. A multipurpose gym and classrooms will be added to an existing building with a two-hour fire barrier around the gym. It will not be sprinklered as the nearest city lines are two miles away and would be over 20% of the construction budget. There are five exits from the building while only three are required, and travel distance is less than required by code. After discussion, Commissioner Christoffersen moved to approve with the condition that no alcohol be allowed on the premises. It was voted upon and carried.

- (51) 07-04-43(a)(b) Shipsewana Town Center, Shipsewana

structurally Tim Callas, J & T Consulting, spoke as proponent. The new visitor center will not have a independent fire wall. The existing building is a pre-engineered metal building and the roof beams cannot be cut to create the independent wall. Additional sprinkler heads will be installed on both sides of the full length to wash the wall for protection. After discussion, Commissioner Ogle moved to approve both variances. Commissioner Hawkins made the second. It was voted upon and carried.

- (52) 07-04-44 Whispering Pines Dementia / Special Care Unit, Valparaiso

security on Richard Agnar, Administrator, spoke as proponent. He requested permission to change the the east and west exit doors for the second floor 58 bed dementia unit to a keypad entry system. The system would disengage at the activation of fire or smoke alarm, or sprinkler flow. Discussion of the system and the code to operate the keypad would be included in orientation for new resident family members. The only other system available to him would be a bracelet/anklet system which can be easily removed by the residents. The building sits next to a busy highway and is also bordered by woods, so it is important to keep the residents safely within their unit. After discussion, Commissioner Christoffersen moved to approve with the second by Commissioner Hawkins. It was voted upon and carried with one nay.

- (53) 07-04-45 Carlisle Elementary/Jr. High School Additions and Renovations, Carlisle

Grant Bryant, Garmong Construction, spoke as proponent. Additions to the building will block two exits during construction. The exit traffic pattern will be re-routed, and three additional exit doors will be installed where windows had been to increase exiting. The project should be done in April 2008. The local fire department has no objections to the variance. Commissioner Christoffersen moved to approve for a period of one year from the start date of construction. Commissioner Hawkins made the second. It was voted upon and carried.

- (54) 07-04-46 Village Commons anchor Store Addition, Evansville

Doug Trent, RTM Consultants, spoke as proponent. A section of strip mall is being demolished, and the end space is an existing off-track betting facility. The 2-hour partition of metal stud and gypsum is to be demolished and a 4-hour fire barrier will be installed. The request is to not meet the structural independence requirement since it is not possible. The wall will be made of 12 inch masonry block filled with vermiculite to create a solid member. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Corey. It was voted upon and

carried.

- (55) 07-04-48 Freedom Church of the Nazarene New Sanctuary, Freedom

Brian Hoff, engineer, spoke as proponent. The new mezzanine will be used only for Sunday school, but the mezzanine exits aren't at grade level which necessitates sprinklering the building. There is no local city water available for sprinklers. A discussion was held as to the intent of the and interpretation of the code section requiring buildings to be sprinklered when exiting is not at grade level. A discussion of the section in the code concerning mezzanines was also held. Commissioner Hawkins moved that no variance was required. Commissioner Ogle made the second. It was voted upon and carried.

- (56) 07-04-49 Weber Grill, Indianapolis

Ed Rensink, RTM Consultants and Bryan Gerrish, Weber, spoke as proponents. A change of use was filed for the restaurant which mandated that they comply with current accessibility codes. The restaurant, located in a building built under the 1980 code, has only one accessible means of egress and is required to have two. The building is fully sprinklered and provides an area of refuge accessible through an exit from the restaurant. To provide the second exit, a ramp 60 feet long would have to be constructed and the site cannot accommodate that structure. After discussion, Commissioner Ogle moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

9. **Code Review Committee Updates.**

Copies of the Building Code, Mechanical and Fuel Gas Code, and the Fire Code and their proposed changes made by the committee members were distributed to the members of the Commission. A report on the Residential Code was also distributed. A brief oral report on the progress and expected finish date were also given.

10. **New Business – General.**

Discussion and Possible Action

City of Indianapolis
Interpretation of State Building Commissioner
Administrative Cause No. 06-26
Notice of Filing Report, Findings of Fact and
Nonfinal Order of Administrative Law Judge

Linton's Enchanted Gardens
Condition of CDR
Administrative Cause No. 07-08
Nonfinal Order of Dismissal

Winslow Crossing
Order – Office of Fire and Building Code Enforcement
Administrative Cause No. 07-04
Nonfinal Order of Dismissal

Commissioner Hawkins moved to approve the Nonfinal Orders of Dismissal. Commissioner Ogle made the second. It was voted upon and carried.

Discussion and Commission Action On Petitions For Review (All are timely filed unless otherwise noted.)

Frank E. Irish
Denial of Variance 06-08-18(a)(b)

Commissioner Christoffersen moved to approve the petition for review. Commissioner Jones made the second. It was voted upon and carried.

11. **Discussion of Final Order.**

Miller Poultry
Challenge to Jurisdiction
Administrative Cause No. 05-47
Final Order and Comparison

Vice-Chairman Cundiff noted that the requested corrections and language had been provided in the document by Mara Snyder, Director of Code and Legal Services.

12. **Comments.**

Mara Snyder, Director, Code and Legal Services, thanked the Commissioners for attending and bade them a safe journey home.

13. **Adjournment.**

Vice-Chairman Cundiff called for further business. There being none, he adjourned the meeting at 1:02 p.m.

APPROVED

David Hannum, Chairman